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Letter dated 16 October 2013 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to forward to you a concept paper for the Security Council open debate on the implementation of the note by the President of the Council of 26 July 2010 (S/2010/507), on the working methods of the Council, to be held on 29 October 2013 (see annex).

I would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Agshin **Mehdiyev**
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Annex to the letter dated 16 October 2013 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Concept paper for the Security Council open debate on the working methods of the Council

29 October 2013

Security Council working methods continue to raise great interest among the broader membership. This has been demonstrated by the increasing number of participants among Member States and the concrete inputs provided in the course of open debates on the implementation of the note by the President of the Council of 26 July 2010 (S/2010/507) that have been organized on an annual basis by the Council in recent years. Very recently, through the note by the President of the Council of 28 August 2013 (S/2013/515), members of the Council underlined again the importance that they attach to this matter by expressing their commitment to continuing to provide opportunities to hear the views of the broader membership on the working methods of the Council, including in open debates on the implementation of the 2010 note, and to welcoming the continued participation of the broader membership in such debates.

Background

The working methods of the Security Council have, in recent years, undergone concrete positive developments owing to the increasing attention and momentum that this issue has gained through the contributions and proposals of many delegations, inside and outside the Council.

The World Summit was, in this respect, a landmark event. Heads of State and Government recommended, in the 2005 World Summit Outcome, that the Security Council continue to adapt its working methods so as to increase the involvement of States not members of the Council in its work (General Assembly resolution 60/1, para. 154). Renewed efforts followed in the Council to review its working methods, in particular in the framework of the Informal Working Group on Documentation and Other Procedural Questions.[1]

[1] See brief history in Security Council Report, "Security Council transparency, legitimacy and effectiveness: efforts to reform Council working methods, 1993-2007", Special Research Report 2007, No. 3 (18 October 2007). "The process of reform of the working methods really began in 1993 ... Several initiatives were launched reflecting concern by some Council members about the need to make the body more transparent and accountable, as well as more efficient and capable of handling various crises at once". In 1994, the Security Council organized for the first time an open debate on its methods of work. See also, for the balance of the practice on Council methods of work, the concept paper prepared by Belgium for the 2008 open debate (S/2008/528, annex), the concept paper prepared by Japan for the open debate of 2010 (S/2010/165, annex), the concept paper prepared by Portugal for the November 2011 open debate (S/2011/726, annex) and the concept paper prepared jointly by India and Portugal for the November 2012 open debate (S/2012/853, annex). See Security Council Report, Special Research Report 2010 (30 March 2010), for a thorough review of all the latest developments in the Council concerning its methods of work.

A substantial part of the work undertaken by the Working Group was eventually captured in the 2010 note by the President (S/2010/507)[2] and has, more recently, been complemented by four notes by the President, three of which were issued in 2012 (S/2012/402, S/2012/922 and S/2012/937) and one in 2013 (S/2013/515).

The open debates organized annually by the Council are excellent opportunities to support and encourage further the efforts of the Council to improve its working methods, and for non-Council members to join Council members in those efforts by contributing to the debate and proposing new ideas to enhance transparency and efficiency and to bring the Council in a closer relationship with the broader membership.

A significant number of proposals have been submitted and debated in the course of previous open debates.[3]

The open debate on working methods convened by Azerbaijan under its presidency will be the sixth such debate on Security Council working methods.[4] The debate will build on the momentum generated by recent annual open debates on working methods, particularly those following the adoption of the 2010 note by the President (S/2010/507).

The November 2011 debate, held under the Portuguese presidency, proved very useful in helping the Working Group to identify future action under its workplan.[5]

A number of proposals highlighted in that debate were subsequently considered, in 2012, by the Working Group under the chairmanship of Portugal and a first set of measures aiming at enhancing the capacity of the Council to plan its

[2] The note, the annex to which covers 13 areas relating to Security Council practices, updated, further developed and expanded the note of 19 July 2006 (S/2006/507). The 2010 note included, among other things, a new section on Security Council missions. Some aspects of the list of items of which the Council is seized were clarified further, regular communication with the Peacebuilding Commission was underlined and guidelines to the annual report were included as well.

[3] Many of the proposals were reflected in the set of proposals submitted by the so-called "small five group" (S5) in a draft resolution. More recently, in May 2013, a group of Member States (Austria, Chile, Costa Rica, Estonia, Finland, Gabon, Hungary, Ireland, Jordan, Liechtenstein, Maldives, New Zealand, Norway, Papua New Guinea, Peru, Portugal, Saudi Arabia, Slovenia, Sweden, Switzerland, United Republic of Tanzania and Uruguay) gathered at the United Nations to launch the Accountability, Coherence and Transparency Group with the aim of improving the working methods of the Council by advocating and promoting efforts to increase the involvement of States not members of the Council, thereby enhancing the accountability of the Council to all Member States and increasing the transparency of its work (see the presentation on the Accountability, Coherence and Transparency Group entitled "Better working methods for today's UN Security Council", May 2013).

[4] The first open debate on working methods was held in 1994. Subsequent to the adoption of the note by the President of 19 July 2006 (S/2006/507) and following the Arria-formula meeting in 2007, held on the initiative of Slovakia, the Security Council organized an open debate in August 2008 (under the Belgian presidency) focused on the implementation of the 2006 note. In 2010, during its presidency of the Council, Japan organized the third open debate, on 22 April. The fourth open debate was held on 30 November 2011, under the Portuguese presidency. The fifth open debate was convened by India, under its presidency of the Council, on 26 November 2012.

[5] Security Council Report, "In hindsight: the working methods open debate", Monthly Forecast (January 2012).

programme of work, manage conference resources and increase interactivity was eventually agreed upon by the Council in June.[6]

Throughout 2012, other proposals were submitted for consideration by the Working Group. They focused on measures to enhance the efficiency and interactivity of the open debates, to improve the annual report of the Security Council to the General Assembly and the monthly assessments of presidencies and to enhance Council transparency by holding monthly wrap-up meetings or informal briefings by the States presiding over the work of the Council at the end of their respective presidencies. A second set of measures was agreed upon by the Council in December 2012 (see S/2012/922).

Also in December 2012, the Working Group reviewed the whole process for appointing the chairs of the subsidiary bodies and agreed to support an informal process that would involve the participation of all Council members in a balanced, transparent, efficient and inclusive way, which would facilitate an exchange of information related to the work of the subsidiary bodies. To this end, the Council members agreed that they should also consult with newly elected members soon after their election on the appointment of the chairs of the subsidiary bodies for the following year (see S/2012/937).

The open debate on the implementation of the 2010 note by the President (S/2010/507), convened by India under its presidency in November 2012, again provided the Working Group with renewed inputs relevant for its future work.[7]

In 2013, the Working Group, under the chairmanship of Argentina, continued to consider concrete proposals to improve different aspects of the working methods and decision-making processes of the Council, including to enhance transparency, efficiency and interactivity within the Council and with the general membership and to improve the relationship between the Council and troop-contributing countries and relevant United Nations organs and regional organizations.

As a result of the work in the Working Group led by Argentina, the Council adopted, on 28 August 2013, a note by the President of the Security Council in which the members of the Council agreed on a set of 10 commitments on different measures concerning important aspects of the working methods of the Council (see S/2013/515).

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[6] Through the note by the President of 5 June 2012 (S/2012/402), the Council aimed to improve the planning of its work and management of conference resources so that more time could be available for the work of its subsidiary bodies. In the note, the need for the Council to promote additional appropriate measures to increase interactivity and encourage a more efficient use of time in briefings during informal consultations, including by resorting more often to the use of video- and teleconferencing services to save costs and, at the same time, enhance information needs and by circulating, whenever possible in advance of the briefing, texts to allow for a more focused discussion during informal consultations. Practical measures were also considered to spread the workload of the Council more evenly throughout the year by promoting the adjustment, where appropriate, of mandate renewal periods and by aligning reporting requirements. The Chair of the Working Group submitted his recommendations to the Council in this respect, which could assist Council members, when deciding mandate renewals and reporting deadlines, to better plan the work of the Council. Efforts have also been made by the Secretariat to improve the web page and enhance the information available, including on mandates and reporting cycles and on analytical and statistical overviews of Council activities over past years.

[7] Security Council Report, "In hindsight: Security Council working methods", Monthly Forecast (January 2013).

Through that note, Council members agreed to make more effective use of public meetings, informal interactive dialogues and Arria-formula meetings, as well as to make the work of the Council more transparent by consulting informally and early. They also agreed to enhance the relationship of the Council with the Chair of the Peacebuilding Commission and the Chairs of country-specific configurations of the Commission. On subsidiary bodies, Council members expressed their commitment to enhance the transparency of their activities, including through substantive interactive briefings to non-members of the Council, and to consider other opportunities for non-members to provide input to the work of the subsidiary bodies.

Building on existing measures already agreed upon by the Council, members committed themselves to improving consultations with troop- and police-contributing countries and to continuing to expand consultations and cooperation with relevant regional and subregional organizations. They reiterated their commitment to consider the methodology of wrap-up sessions and informal briefing sessions, in accordance with the note by the President of the Council of 12 December 2012 (S/2012/922).

In line with these commitments, Council members agreed to continue to provide opportunities to hear the views of the broader membership on the working methods of the Council, including through open debates on the implementation of the 2010 note by the President (S/2010/507), such as the one Azerbaijan proposes to convene under its presidency on 29 October 2013.

Open debate

For the coming open debate, it is proposed that the experience of previous debates be borne in mind. It is suggested, therefore, that the debate should focus on issues of transparency, interaction with non-members of the Council, troop- and police-contributing countries, regional and subregional bodies and relevant United Nations bodies and the overall efficiency of the Council, with the aim of identifying ways of improving these aspects.

The open debate will be a good opportunity for the Council, with the participation of interested delegations from the wider membership, to look into the implementation of the 2010 note by the President (S/2010/507) and subsequent notes adopted by the Council and identify positive trends and new practices to increase efficiency and transparency. It will also be an opportunity to identify any shortcomings and specific areas where further improvements are needed. Concrete suggestions regarding practical measures aiming at further enhancing the working methods of the Council are particularly welcome.

In accordance with the note by the President of the Council of 12 December (see S/2012/922, para. 7), all participants speaking in the open debate, including members of the Council, are encouraged to be as succinct and focused as possible in their interventions, which should not exceed five minutes. If necessary, the text of a more detailed statement may be circulated to Council members and participants.

The debate could be organized around different topics, including those identified in previous debates, as follows:

- Strengthening the trend of meeting more often in public, including by holding public briefings and debates, without prejudice to the use of consultations,

when appropriate, and other meeting formats, such as Arria-formula meetings, informal interactive dialogues and horizon-scanning briefings.[8]

- Ensuring a transparent and inclusive process of negotiation within the Council, including in the process leading to the appointment of the chairs of the subsidiary bodies (see S/2012/937) and through an enhanced role for pen holders.[9]
- Enhancing the interaction of the Council with troop- and police-contributing countries by ensuring, inter alia, a more substantive exchange of views, including through the use of concept notes or indicative questions to promote more fruitful and focused discussions at meetings with troop-contributing countries.
- Enhancing interaction and dialogue between the Security Council and regional and subregional organizations on issues of mutual interest and cooperation.
- Enhancing the role of the Military Staff Committee.
- Enhancing interaction between the Council and the Chair of the Peacebuilding Commission and the Chairs of the country-specific configurations of the Commission by ensuring their participation in Council meetings, including informal meetings, on relevant situations on the Council agenda.
- Ensuring more informative annual reporting of the Security Council to the General Assembly by encouraging interactive consultations with the wider membership before adoption and submission of the reports to the Assembly and by providing more substantive and analytical information on situations under the consideration of the Council, on the work of its subsidiary bodies and on its working methods.
- Enhancing transparency of the work of the Council and its interaction with the broader membership, including through wrap-up meetings, and supporting the role of the Presidents of the Council in promoting transparency by encouraging their interaction with the wider membership, including through monthly informal briefings on the work of the Council at the end of each presidency and in preparing more substantive and informative monthly assessments on the work of the Council.[10]
- Ensuring regular interaction between the Presidents of the Council with the chairs of other relevant United Nations bodies on issues of mutual interest.
- Identifying ways to increase transparency, interaction and efficiency, also in the work of subsidiary organs, in particular sanctions committees, in furtherance of measures agreed by the Council (see S/2013/515, paras. 2 (d)

[8] Security Council Report, "In hindsight: horizon-scanning briefings", Monthly Forecast (May 2013).

[9] Ibid., "In hindsight: pen holders", Monthly Forecast (September 2013).

[10] On the issue of the annual report of the Council to the General Assembly, see the note by the President of the Council of 16 July 2010 (S/2010/507). On the issues of the open debates, the annual report of the Council to the Assembly, the monthly assessments, the wrap-up sessions and the informal briefing sessions on the monthly work of the Council, see the note by the President of 12 December 2012 (S/2012/922).

and (e)) and the recommendations of the former Informal Working Group on General Issues of Sanctions.[11]

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[11] Established in 2000 (S/2000/319) and initially chaired by Bangladesh, the working group developed a thorough review of sanctions issues. At the end of 2006, the working group, chaired by Greece, submitted a comprehensive report (S/2006/997) on the subject, with a focus on the following aspects: sanctions design, implementation, evaluation and follow-up; monitoring and enforcement; committee working methods; methodological standards for reports of sanctions monitoring mechanisms; and criteria and best practices for a standard format for reports of sanctions monitoring mechanisms. The Council, by its resolution 1732 (2006), took "note with interest of the best practices and methods contained in the report" and requested its subsidiary bodies to "take note as well", having considered thus fulfilled the mandate of the working group.